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ABSTRACT

The "great national discussion" of 1787 involved deliberations, writings, debates, and speeches concerning the newly created U.S. Constitution. Both the framers and the critics of the Constitution utilized philosophies of: (1) republicanism; (2) Lockean liberalism; (3) work-ethic Protestantism; and (4) state-centered theories of power and sovereignty. This paper explores the paradigms of civic humanism and liberalism in the Constitution, the Federalist Papers, and the critics' writings, along with the rhetoric and political positions used to address the concepts of virtue and power. The anti-Federalists were not really defeated by the ratification of the U.S. Constitution, for many of their ideas, such as the retention of some powers within the states, have endured. The living Constitution continues to reflect these various philosophies, paradigms, and positions. (JHP)

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THE "GREAT NATIONAL DISCUSSION": THE DISCOURSE OF POLITICS IN 1787

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The "Great National Discussion": The Discourse of Politics in 1787

Isaac Kramnick

AMERICANS, Alexander Hamilton wrote on October 27, 1787, in the New York *Independent Journal*, were "called upon to deliberate on a new Constitution." His essay, *The Federalist* No. 1, pointed out that in doing this Americans were proving that men could create their own governments "from reflection and choice," instead of forever having to depend on "accident and force." These deliberations on the Constitution would by no means be decorous and genteel. Much too much was at stake, and, as Hamilton predicted, "a torrent of angry and malignant passions" was let loose in the "great national discussion." His *Federalist* essays, Hamilton promised, would provide a different voice in the national debate; they would rise above "the loudness of [the opposition's] declamations, and the . . . bitterness of [its] invectives."

How does one read that "great national discussion" two centuries later? Most present-day scholars would follow the methodological guidelines offered by J.G.A. Pocock in this respect. The historian of political thought, Pocock suggests, is engaged in a quest for the "languages," "idioms," and "modes of discourse" that characterize an age. Certain "languages" are accredited at various moments in time "to take part" in the public speech of a country. These "distinguishable idioms" are paradigms that selectively encompass all information about politics and delimit appropriate usage. Pocock writes of the "continuum of discourse," which persists over time in terms of paradigms that both constrain and provide opportunities for authors with a language available for their use. To understand texts and "great national discussions," then, is to penetrate the "modes of discourse" and the meanings available to authors and speakers at particular moments in time. The scholar must know what the normal

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possibilities of language, the capacities for discourse, were. Paradigms change, to be sure, ever so slowly, and we recognize this subtle process through anomalies and innovations. But much more significant is the static and exclusive aspect of "modes of discourse." Pocock cautions that one "cannot get out of a language that which was never in it." People only think "about what they have the means of verbalizing." Anyone studying political texts, then, must use "the languages in which the inhabitants . . . did in fact present their society and cosmos to themselves and to each other."[1]

Problematic in this approach is the assumption that there is but one language—one exclusive or even hegemonic paradigm—that characterizes the political discourse of a particular place or moment in time. This was not the case in 1787. In the "great national discussion" of the Constitution Federalists and Antifederalists, in fact, tapped several languages of politics, the terms of which they could easily verbalize. This article examines four such "distinguishable idioms," which coexisted in the discourse of politics in 1787-1788. None dominated the field, and the use of one was compatible with the use of another by the very same writer or speaker. There was a profusion and confusion of political tongues among the founders. They lived easily with that clatter; it is we two hundred years later who chafe at their inconsistency. Reading the framers and the critics of the Constitution, one discerns the languages of republicanism, of Lockean liberalism, of work-ethic Protestantism, and of state-centered theories of power and sovereignty.[2]

I: Civic Humanism and Liberalism in the Constitution and Its Critics

Contemporary scholarship seems obsessed with forever ridding the college curriculum of the baleful influence of Louis Hartz. In place of the "Liberal Tradition in America," it posits the omnipresence of neoclassical civic humanism. Dominating eighteenth-century political thought in Britain and America, it is insisted, was the language of republican virtue. Man was a political being who realized his telos only when living in a *vivere civile* with other propertied, arms-bearing citizens, in a republic where they ruled and were ruled in turn. Behind this republican discourse is a tradition of political philosophy with roots in Aristotle's *Politics*, Cicero's *Res Publica*, Machiavelli, Harrington, Bolingbroke, and the nostalgic country's virtuous opposition to Walpole and the commercialization of English life. The pursuit of public good is privileged over private interests,

[1] Pocock, *Virtue, Commerce, and History: Essays on Political Thought and History, Chiefly in the Eighteenth Century* (Cambridge, 1985), 7-8, 12-13, 58, 290.

[2] Even this list is not exhaustive. I leave to colleagues the explication of several other less discernible idioms of politics in the discourse of 1787, for example, the "language of jurisprudence," "scientific whiggism," and the "moral sentiment" schools of the Scottish Enlightenment.

and freedom means participation in civic life rather than the protection of individual rights from interference. Central to the scholarly enterprise of republicanism has been the self-proclaimed "dethronement of the paradigm of liberalism and of the Lockean paradigm associated with it."[3]

In response to these republican imperial claims, a group whom Gordon S. Wood has labeled "neo-Lockeans" has insisted that Locke and liberalism were alive and well in Anglo-American thought in the period of the founding.[4] Individualism, the moral legitimacy of private interest, and market society are privileged in this reading over community, public good, and the virtuous pursuit of civic fulfillment. For these "neo-Lockeans" it is not Machiavelli and Montesquieu who set the textual codes that dominated the "great national discussion," but Hobbes and Locke and the assumptions of possessive individualism.

Can we have it both ways? We certainly can if we take Federalist and Antifederalist views as representing a single text of political discourse at the founding. A persuasive case can be made for the Federalists as liberal modernists and the Antifederalists as nostalgic republican communitarians seeking desperately to hold on to a virtuous moral order threatened by commerce and market society. The Federalist tendency was to depict America in amoral terms as an enlarged nation that transcended local community and moral conviction as the focus of politics. The Federalists seemed to glory in an individualistic and competitive America, which was preoccupied with private rights and personal autonomy. This reading of America is associated with James Madison more than with anyone else, and with his writings in the *Federalist*.

Madison's adulation of heterogeneous factions and interests in an enlarged America, which he introduced into so many of his contributions to the *Federalist*, assumed that the only way to protect the rights of minorities was to enlarge the political sphere and thereby divide the community into so great a number of interests and parties, that

> in the 1st. place a majority will not be likely at the same moment to have a common interest separate from that of the whole or of the

[3] J.G.A. Pocock, "An Appeal from the New to the Old Whigs? A Note on Joyce Appleby's Ideology and the History of Political Thought," Intellectual History Group, *Newsletter* (Spring, 1981), 47. Republican revisionism, often read as a critique from the right of hegemonic liberal scholarship, has been taken up by an unlikely ally, Critical Legal Studies, which from the left has embraced its communitarian focus and potential as an alternative to liberal possessive individualism. See, for example, Andrew Fraser, "Legal Amnesia: Modernism vs. the Republican Tradition in American Legal Theory," *Telos*, No. 60 (1984), 18, and Mark Tushnet, "The Constitution of Religion," *Connecticut Law Review*, XVIII (1986), 701.

[4] Wood, "Hellfire Politics," *New York Review of Books*, XXXII, No. 3 (1985), 30. Wood's magisterial *The Creation of the American Republic, 1776-1787* (Chapel Hill, N.C., 1969), remains the most brilliant guide to the American founding. The pages that follow should make apparent the debt I (and all who write on this era) owe Wood.

> minority; and in the 2d. place, that in case they shd. have such an interest, they may not be apt to unite in the pursuit of it. It was incumbent on us then to try this remedy, and with that view to frame a republican system on such a scale & in such a form as will controul all the evils wch. have been experienced.[5]

In *Federalist* No. 10 Madison described the multiplication of regional, religious, and economic interests, factions, and parties as the guarantor of American freedom and justice. He put his case somewhat differently in a letter to Thomas Jefferson: "Divide et impera, the reprobated axiom of tyranny, is under certain conditions, the only policy, by which a republic can be administered on just principles."[6] Pride of place among "these clashing interests," so essential for a just order, went to the economic interests inevitable in a complex market society. They were described in the often-quoted passage from *Federalist* No. 10:

> The most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society . . . . creditors . . . debtors. . . . A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest. . . . The regulation of these various and interfering interests forms the principal task of modern legislation.

Government for Madison, much as for Locke, was a neutral arbiter among competing interests. Indeed, in *Federalist* No. 43 Madison described the legislative task as providing "umpires"; and in a letter to George Washington he described government's role as a "disinterested & dispassionate umpire in disputes."[7] Sounding much like Locke in chapter 5, "Of Property," of the *Second Treatise*, Madison, in No. 10, attributed the differential possession of property to the "diversity in the faculties of man," to their "different and unequal faculties of acquiring property." It was "the protection of these faculties" that constituted "the first object of government." As it was for Locke—who wrote that "*justice* gives every Man a Title to the product of his honest Industry"—so, too, for Madison and the Federalists: justice effectively meant respecting private rights, especially property rights.[8]

Justice for the Federalists was less a matter of civic virtue, of public participation in politics, as emphasized by recent American historical

[5] Max Farrand, ed., *The Records of the Federal Convention of 1787* (New Haven, Conn., 1911), I, 136.

[6] Madison to Jefferson, Oct. 24, 1787, in Gaillard Hunt, ed., *The Writings of James Madison* . . . (New York, 1900-1910), V, 31.

[7] Madison to Washington, Apr. 16, 1787, *ibid.*, II, 346.

[8] John Locke, "First Treatise of Civil Government," in *Two Treatises of Government* . . . (1689), ed. Peter Laslett (Cambridge, 1960), chap. 4, sect. 42.

scholarship, or of a neoplatonic ideal of a transcendent moral order, as argued by scholars such as Walter Berns, than it was a reflection of the Lockean liberal world of personal rights, and most dramatically of property rights. It was a substantive, not procedural or civic, ideal of justice that preoccupied the framers in 1787. It was much more often their content, not their violation of due process, that condemned state legislative actions as wicked. With striking frequency, the condemnation of state laws that interfered with private contracts or established paper money schemes was cast in the language of "unjust laws." In South Carolina such laws were called "open and outrageous . . . violations of every principle of Justice." In New Jersey debtor relief legislation was criticized as "founded not upon the principles of Justice, but upon the Right of the Sword." The Boston *Independent Chronicle* complained in May 1787 that the Massachusetts legislature lacked "a decided tone . . . in favor of the general principles of justice." A "virtuous legislature," wrote a New Jersey critic in 1786, "cannot listen to any proposition, however popular, that came within the description of being unjust, impolitic or unnecessary." In Massachusetts the legislation sought by the Shaysites was seen to be acts of "injustice," establishing "iniquity by Law" and violating "the most simple ties of common honesty." The linkage between the procedural and substantive objections to the state legislatures was made clearly by Noah Webster. They were, he wrote, guilty of "so many legal infractions of sacred right—so many public invasions of private property—so many wanton abuses of legislative powers!"[9]

Madison, too, read justice as the substantive protection of rights. In his argument before the convention on behalf of a council of revision he pleaded that the president and judges should have the power to veto "unwise & unjust measures" of the state legislatures "which constituted so great a portion of our calamities."[10] This is equally evident in the pages of the *Federalist*. In No. 10, state actions reflecting "a rage for paper money, for an abolition of debts, for an equal division of property" were "schemes of injustice" and "improper or wicked project[s]." The fruit of unjust and wicked laws was the "alarm for private rights" that is "echoed from one end of the continent to the other." In No. 44 Madison equated the "love of justice" with hatred of paper money. Such pestilential laws required, in turn, sacrifices on "the altar of justice." The end of government itself was justice, Madison wrote in No. 51, and in No. 54 he refined this further by noting that "government is instituted no less for protection of the property than of the persons of individuals." It was the same for Hamilton, who

[9] Berns, *Freedom, Virtue, and the First Amendment* (Baton Rouge, La., 1957). *State Gazette of South-Carolina* (Charleston), Mar. 5, 1787; quotation for New Jersey is in Wood, *Creation of the American Republic*, 406; *Independent Chronicle: and the Universal Advertiser* (Boston), May 31, 1787; *Political Intelligencer* (Elizabeth Town, N.J.), Jan. 4, 1786; quotation for Massachusetts is in Wood, *Creation of the American Republic*, 465; Webster quoted *ibid.*, 411.

[10] Farrand, ed., *Records of the Federal Convention*, II, 73-74.

wrote in *Federalist* No. 70 of "the protection of property" constituting "the ordinary course of justice." In No. 78 Hamilton also described the "private rights of particular classes of citizens" injured "by unjust and partial laws."

The commitment in the preamble to the Constitution to "establish justice" meant for the framers that it would protect private rights, which would help it achieve the next objective—to "insure domestic tranquility." Should there be doubts about this, we have Madison as our guide to what "establish justice" meant. On June 6 he had risen at the convention to answer Roger Sherman's suggestion that the only objects of union were better relations with foreign powers and the prevention of conflicts and disputes among the states. What about justice? was the thrust of Madison's intervention. To Sherman's list of the Constitution's objectives Madison insisted that there be added "the necessity of providing more effectually for the security of private rights, and the steady dispensation of Justice. Interferences with these were evils which had more perhaps than any thing else produced this convention."[11]

The acceptance of modern liberal society in the Federalist camp went beyond a legitimization of the politics of interest and a conviction that government's purpose was to protect the fruits of honest industry. There was also an unabashed appreciation of modern commercial society. Secretary of Education William Bennett is quite right in his recent reminder that "commerce had a central place in the ideas of the Founders."[12] Hamilton, for example, in *Federalist* No. 12, insisted that

> the prosperity of commerce is now perceived and acknowledged by all enlightened statesmen to be the most useful as well as the most productive source of national wealth, and has accordingly become a primary object of their political cares. By multiplying the means of gratification, by promoting the introduction and circulation of the precious metals, those darling objects of human avarice and enterprise, it serves to vivify and invigorate the channels of industry and to make them flow with greater activity and copiousness.

Hamilton was perfectly aware that his praise of private gratification, avarice, and gain flew in the face of older ideals of civic virtue and public duty that emphasized the subordination of private interest to the public good. He turned this very rejection of the republican moral ideal into an argument for the need of a federal standing army. This was a further blow to the ideals of civic virtue, which had always seen professional armies as evil incarnate, undermining the citizen's self-sacrificial participation in the defense of the public realm, which was the premise of the militia. America as a market society could not rely on the militia, according to Hamilton. "The militia," he wrote in *Federalist* No. 24, "would not long, if at all,

[11] *Ibid.*, I, 134.

[12] Bennett, "How Should Americans Celebrate the Bicentennial of the Constitution?" *National Forum*, LXIV (1984), 60.

submit to be dragged from their occupations and families." He was writing of manning garrisons involved in protecting the frontiers: "And if they could be prevailed upon or compelled to do it, the increased expense of a frequent rotation of service, and the loss of labor and disconcertation of the industrious pursuits of individuals, would form conclusive objections to the scheme. It would be as burdensome and injurious to the public as ruinous to private citizens."

In *Federalist* No. 8, another defense of standing armies, Hamilton acknowledged the eclipse of older civic ideals of self-sacrifice and participatory citizenship in commercial America: "The industrious habits of the people of the present day, absorbed in the pursuit of gain and devoted to the improvements of agriculture and commerce, are incompatible with the condition of a nation of soldiers, which was the true condition of the people of those [ancient Greek] republics."

Many of the Antifederalists, on the other hand, were still wedded to a republican civic ideal, to the making of America into what Samuel Adams called "a Christian Sparta." The very feature of pluralist diversity in the new constitutional order that Madison saw as its great virtue, the Antifederalists saw as its major defect. For the Antifederalist "Brutus" it was absurd that the legislature "would be composed of such heterogeneous and discordant principles, as would constantly be contending with each other." A chorus of Antifederalists insisted that virtuous republican government required a small area and a homogeneous population. Patrick Henry noted that a republican form of government extending across the continent "contradicts all the experience of the world." Richard Henry Lee argued that "a free elective government cannot be extended over large territories." Robert Yates of New York saw liberty "swallowed up" because the new republic was too large.[13]

Montesquieu and others had taught Antifederalists "that so extensive a territory as that of the United States, including such a variety of climates, productions, interests, and so great differences of manners, habits, and customs" could never constitute a moral republic. This was the crucial issue for the minority members of the Pennsylvania ratifying convention: "We dissent, first, because it is the opinion of the most celebrated writers on government, and confirmed by uniform experience, that a very extensive territory cannot be governed on the principles of freedom, otherwise than by a confederation of republics."[14]

Antifederalists' fears over the absence of homogeneity in the enlarged republic were as important as the issue of size. In the course of arguing

[13] Adams to John Scollay, Dec. 30, 1780, in Harry Alonzo Cushing, ed., *The Writings of Samuel Adams* (New York, 1904-1908), IV, 238; "Brutus," quoted in Herbert J. Storing, *What the Anti-Federalists Were For* (Chicago, 1981), 47; Henry, Lee, and Yates quoted in Leonard W. Levy, ed., *Essays on the Making of the Constitution* (New York, 1969), ix.

[14] Montesquieu quoted in Wood, *Creation of the American Republic*, 499; quotation for Pennsylvania is in Levy, ed., *Essays on the Constitution*, x.

that a national government could not be trusted if it were to allow open immigration, "Agrippa," the popular Antifederalist pamphleteer assumed to be James Winthrop, contrasted the much more desirable situation in "the eastern states" with the sad plight of Pennsylvania, which for years had allowed open immigration and in which religious toleration and diversity flourished:

> Pennsylvania has chosen to receive all that would come there. Let any indifferent person judge whether that state in point of morals, education, energy is equal to any of the eastern states . . . [which,] by keeping separate from the foreign mixtures, [have] acquired their present greatness in the course of a century and a half, and have preserved their religion and morals. . . . Reasons of equal weight may induce other states . . . to keep their blood pure.[15]

Most Antifederalists held that a republican system required similarity of religion, manners, sentiments, and interests. They were convinced that no such sense of community could exist in an enlarged republic, that no one set of laws could work within such diversity. "We see plainly that men who come from New England are different from us," wrote Joseph Taylor, a southern Antifederalist. "Agrippa," on the other hand, declared that "the inhabitants of warmer climates are more dissolute in their manners, and less industrious, than in colder countries. A degree of severity is, therefore, necessary with one which would cramp the spirit of the other. . . . It is impossible for one code of laws to suit Georgia and Massachusetts."[16]

A just society, for many Antifederalists, involved more than simply protecting property rights. Government had more responsibilities than merely to regulate "various and interfering interests." It was expected to promote morality, virtue, and religion. Many Antifederalists, for example, were shocked at the Constitution's totally secular tone and its general disregard of religion and morality. Equally upsetting was the lack of any religious content in Federalist arguments for the Constitution.

Some Antifederalists were angered that the Constitution, in Article VI, Section 3, prohibited religious tests for officeholders while giving no public support for religious institutions. Amos Singletary of Massachusetts was disturbed that it did not require men in power to be religious: "though he hoped to see Christians, yet, by the Constitution, a Papist, or an Infidel, was as eligible as they." Henry Abbot, an Antifederalist in North Carolina, wrote that "the exclusion of religious tests is by many thought dangerous and impolitic. They suppose . . . pagans, deists, and Mahometans might obtain offices among us." For David Caldwell of North Carolina, this

[15] "Letters of Agrippa," Dec. 28, 1787, in Herbert J. Storing, ed., *The Complete Anti-Federalist* (Chicago, 1981), IV, 86.

[16] Jonathan Elliot, ed., *The Debates of the Several State Conventions, on the Adoption of the Federal Constitution* . . . . 2d ed. (Philadelphia, 1863), IV, 24; "Letters of Agrippa," Dec. 5, 1787, in Storing, ed., *Complete Anti-Federalist*, IV, 76.

prohibition of religious tests constituted "an invitation for Jews and pagans of every kind to come among us." Since Christianity was the best religion for producing "good members of society, . . . those gentlemen who formed this Constitution should not have given this invitation to Jews and heathens."[17]

Antifederalists held that religion was a crucial support of government. For Richard Henry Lee, "refiners may weave as fine a web of reason as they please, but the experience of all times shews Religion to be the guardian of morals." The state, according to some Antifederalists, had to be concerned with civic and religious education. Several made specific proposals for state-sponsored "seminaries of useful learning" to instill "the principles of free government" and "the science of morality." The state, they urged, should encourage "the people in favour of virtue by affording publick protection to religion."[18] Going a long step further, Charles Turner of Massachusetts insisted that "without the prevalence of *Christian piety and morals*, the best republican Constitution can never save us from slavery and ruin." He urged that the government institute some means of education "as shall be *adequate* to the *divine, patriotick purpose* of training up the children and youth at large, in that solid learning, and in those pious and moral principles, which are the *support*, the *life* and the SOUL of republican government and liberty, of which a free Constitution is the body."[19]

There was, not surprisingly, also a tendency in some Antifederalist circles to see the exchange principles of commercial society, so praised by the Federalists, as threats to civic and moral virtue. Would not the self-seeking activities "of a commercial society beget luxury, the parent of inequality, the foe to virtue, and the enemy to restraint"? The spread of commerce would undermine republican simplicity, for the more a people succumbed to luxury, the more incapable they became of governing themselves. As one Antifederalist put it, speaking critically of the silence of the Constitution on questions of morality, "whatever the refinement of modern politics may inculcate, it still is certain that some degree of virtue must exist, or freedom cannot live." Honest folk like himself, he went on, objected to "Mandevill[e]'s position . . . 'that private vices are public benefits'." This was not an unfamiliar theme to the men who would oppose the Constitution. Richard Henry Lee singled out the same source of evil, "Mandevilles . . . who laugh at virtue, and with vain ostentatious display of words will deduce from vice, public good!"[20]

The problem with the Federalist position for many Antifederalists was the inadequacy of its vision of community based on mere interests and their protection. The Antifederalists suspected that such a community

[17] Elliot, ed., *Debates*, II, 44, IV, 192, 199.

[18] Lee to Madison, Nov. 26, 1784, in James Curtis Ballagh, ed., *Letters of Richard Henry Lee* (New York, 1911-1914), II, 304; Storing, *Anti-Federalists*, 21.

[19] Storing, *Anti-Federalists*, 23.

[20] *Ibid.*, 73; Ballagh, ed., *Letters of R. H. Lee*, II, 62-63.

could not persist through what Madison called in *Federalist* No. 51 "the policy of supplying, by opposite and rival interests, the defect of better motives." A proper republican community, for these Antifederalists, required a moral consensus, which, in turn, required similarity, familiarity, and fraternity. How, they asked, could one govern oneself and prefer the common good over private interests outside a shared community small enough and homogeneous enough to allow one to know and sympathize with one's neighbors? The republican spirit of Rousseau hovered over these Antifederalists as they identified with small, simple, face-to-face, uniform societies.

Madison and Hamilton understood full well that this communitarian sentiment lay at the core of much of the Antifederalist critique of the new constitutional order. In *Federalist* No. 35 Hamilton ridiculed the face-to-face politics of those "whose observation does not travel beyond the circle of his neighbors and his acquaintances." Madison in No. 10 described two alternative ways of eliminating the causes of factions and thus the politics of interest: one by "destroying the liberty which is essential to its existence; the other by giving to every citizen the same opinions, the same passions, and the same interests." These were both unacceptable. To do either would cut out the very heart of the liberal polity he championed.[21]

Can one go too far in making the case for the Antifederalists as antiliberal communitarians or Rousseauean republicans? Some were, without doubt, but others responded to the enlargement of the federal government and the enhancement of executive power with a call for the protection of private and individual rights through a bill of rights. Even this, however, may be explained by their communitarian bias. If, after all, government was to be run from some city hundreds of miles away, by people superior, more learned, and more deliberative than they, by people with whom they had little in common, then individual rights needed specific protection. The basis for trust present in the small moral community where men shared what Madison disparagingly described as "the same opinions, the same passions, and the same interests" was extinguished.

An equally strong case can be made for the Federalists as republican theorists, and here we see full-blown the confusion of idioms, the overlapping of political languages, in 1787. There is, of course, Madison's redefinition of and identification with a republicanism that involved "the delegation of the government . . . to a small number of citizens elected by the rest" as opposed to a democracy "consisting of a small number of citizens who assemble and administer the government in person." But the crucial move in No. 10 that sets Madison firmly within the republican paradigm is his assumption that the representative function in an enlarged republic would produce officeholders who would sacrifice personal,

[21] Cf. Walter Berns, "Does the Constitution Secure These Rights?" in Robert A. Goldwin and William A. Schambra, eds., *How Democratic Is the Constitution?* (Washington, D.C., 1980), 73.

private, and parochial interest to the public good and the public interest. What made the layers of filtration prescribed by the new constitutional order so welcome was their ultimate purpose—producing enlightened public-spirited men who found fulfillment in the quest for public good. It is this feature of Madison's No. 10 that Garry Wills has drawn attention to as the crowning inspiration of Madison's moral republicanism. Republican government over a large country would, according to Madison,

> refine and enlarge the public views by passing them through the medium of a chosen body of citizens whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation it may well happen that the public voice pronounced by the representatives of the people will be more consonant to the public good than if pronounced by the people themselves, convened for the purpose.

The greater number of citizens choosing representatives in a larger republic would reject "unworthy candidates" and select "men who possess the most attractive merit." A large republic and a national government would lead to "the substitution of representatives whose enlightened views and virtuous sentiments render them superior to local prejudices and to schemes of injustice." We know, given Madison's candor, what this meant.[22]

Working out the mechanisms by which this filtration process would "refine" and "enlarge" public views and enhance the quality of the men chosen to express them preoccupied the delegates at Philadelphia. This explains their lengthy deliberations over how governing officials such as the president and senators should be selected. Indirect processes of selection would, Madison wrote in his notes, "extract from the mass of the Society the purest and noblest characters which it contains."[23] The people involved in choosing the president or senators would be, according to Jay in *Federalist* No. 64, "the most enlightened and respectable." The Senate, Madison wrote in *Federalist* No. 63, would then be made up of "temperate and respectable" men standing for "reason, justice and truth" in the face of the people's "errors and delusions."

Madison privileged public over private elsewhere in the *Federalist* as well. In No. 49 he envisioned public "reason" and "the true merits of the question" controlling and regulating government, not particular and private "passions." Similarly, in No. 55 he saw "the public interests" at risk in large legislative assemblies where "passion" always triumphed over "reason." The smaller House of Representatives constructed by the

[22] See Garry Wills, *Explaining America: The Federalist* (Garden City, N.Y., 1981).

[23] Madison, "Vices of the Political System of the United States," in William T. Hutchinson *et al.*, eds., *The Papers of James Madison* (Chicago, 1962-), IV, 357.

Federalists would better ensure the victory of public good over self-interest.

The class focus of the Federalists' republicanism is self-evident. Their vision was of an elite corps of men in whom civic spirit and love of the general good overcame particular and narrow interest. Such men were men of substance, independence, and fame who had the leisure to devote their time to public life and the wisdom to seek the true interests of the country as opposed to the wicked projects of local and particular interests. This republicanism of Madison and the Federalists was, of course, quite consistent with the general aristocratic orientation of classical republicanism, which was, after all, the ideal of the independent, propertied, and therefore leisured citizen with time and reason to find fulfillment as *homo civicus*.

Filtering out mediocrity for Madison went hand in hand with disinterested pursuit of the public good. Many Antifederalists, for their part, saw legislatures as most representative when their membership mirrored the complexity and diversity of society—when, in fact, each geographical unit and social rank was represented. In offering the mirror, not the filter, as the model for representation, Antifederalists seemed to be calling for the representation of every particular interest and thus appear to resemble interest-centered liberals. It was they, as well as Madison in his nonrepublican passages, who, it can be claimed, articulated the politics of interest, to be sure in a language much more democratic and participatory. The classic expression of this Antifederalist interest theory of representation came from Melancton Smith, the great antagonist of Hamilton at the New York ratification convention. He told the delegates that "the idea that naturally suggests itself to our minds, when we speak of representatives, is, that they resemble those they represent. They should be a true picture of the people, possess a knowledge of their circumstances and their wants, sympathize in all their distresses, and be disposed to seek their true interests." Directly refuting the filtration model, Smith insisted that a representative system ought not to seek "brilliant talents," but "a sameness, as to residence and interests, between the representative and his constituents."[24]

Hamilton repudiated the Antifederalist interest theory in *Federalist* No. 35. "The idea of an actual representation of all classes of the people, by persons of each class," so that the feelings and interests of all would be expressed, "is altogether visionary," he wrote. The national legislature, Hamilton recommended, should be composed only of "landholders, merchants, and men of the learned professions." Ordinary people, however much confidence "they may justly feel in their own good sense,"

[24] Elliot, ed., *Debates*, II, 245; *Letters from the Federal Farmer*, in Storing, ed., *Complete Anti-Federalist*, II, 298. For Smith as author of the *Federal Farmer* see Robert H. Webking, "Melancton Smith and the *Letters from the Federal Farmer*," *William and Mary Quarterly*, 3d Ser., XLIV (1987), 510-528.

should realize that "their interests can be more effectually promoted" by men from these three stations in life.

The confusion of paradigms is further evident when one analyzes in more detail these Federalist and Antifederalist theories of representation. The interest- and particularistic-oriented Antifederalists tended to espouse the traditional republican conviction, dominant in most states under the Articles of Confederation, that representatives should be directly responsible to their constituents and easily removable. This, of course, tapped a rich eighteenth-century republican tradition of demanding frequent elections. Implicit in the Federalist notion of filtration, however, was a denial of the representative as mere delegate or servant of his constituents. In Madison's republicanism the representative was chosen for his superior ability to discern the public good, not as a mere spokesman for his town or region, or for the farmers or mechanics who elected him. It followed, then, that Federalists rejected the traditional republican ideal of annual or frequent elections, which was so bound to the more democratic ideal of the legislator as delegate. It is no surprise to find Madison, in *Federalist* Nos. 37, 52, and 53, critical of frequent elections and offering several arguments against them. The proposed federal government, he insisted, was less powerful than the British government had been; its servants, therefore, were less to be feared. State affairs, he contended, could be mastered in less than a year, but the complexity of national politics was such that more time was needed to grasp its details. More important than these arguments, however, was the basic ideological gulf that here separated Madison's republicanism from the Antifederalist republican proponents of annual elections. Madison's legislators of "refined and enlarged public views," seeking "the true interest of their country," ought not to be subject to yearly review by local farmers and small-town tradesmen.

II: The Language of Virtuous Republicanism

The meaning of virtue in the language of civic humanism is clear. It is the privileging of the public over the private. Samuel Adams persistently evoked the idioms of Aristotle and Cicero. "A Citizen," he wrote, "owes everything to the Commonwealth." He worried that Americans would so "forget their own generous Feelings for the Publick and for each other, as to set private Interest in Competition with that of the great Community." Benjamin Rush went so far in 1786 as to reject the very core belief of what in a later day would come to be called possessive individualism. Every young man in a true republic, he noted, must "be taught that he does not belong to himself, but that he is public property." All his time and effort throughout "his youth—his manhood—his old age—nay more, life, all belong to his country." For John Adams, "public Virtue is the only Foundation of Republics." Republican government required "a positive

Passion for the public good, the public Interest .... Superiour to all private Passions."[25]

This is not all that virtue meant. Subtle changes were taking place during the founding of the American republic in the notion of virtue, and at their core was a transvaluation of public and private. Dramatic witness is given to these changes by Madison's *Federalist* No. 44 where he depicted paper money as a threat to the republican character and spirit of the American people. That spirit, however, was neither civic nor public in nature. The values at risk were apolitical and personal. Madison feared for the sobriety, the prudence, and the industry of Americans. His concern was "the industry and morals of the people." A similar concern appeared in William Livingston's worrying that his countrymen "do not exhibit the virtue that is necessary to support a republican government." John Jay agreed. "Too much," he wrote, "has been expected from the Virtue and good Sense of the People." But like Madison, when Americans became specific about exactly what the decline of virtue meant, their language was often noncivic and instead self-referential. Writing to Jefferson in 1787, friends told of "symptoms . . . truly alarming, which have tainted the faith of the most orthodox republicans." Americans lacked "industry, economy, temperance, and other republican virtues." Their fall from virtue was marked not by turning from public life (was there not, indeed, too much of that very republican value in the overheated state legislatures?) but by their becoming "a Luxurious Voluptuous indolent expensive people without Economy or Industry." Virtuous republican people could, in fact, be described in noncivic, personal terms by the very same men who used the language of civic humanism. John Adams could see the foundation of virtuous government in men who are "sober, industrious and frugal."[26]

One of the most striking aspects of political discourse in this era is the formulaic frequency with which this different sense of virtue is heard. For Joel Barlow in a 1787 Fourth of July oration at Hartford, the "noble republican virtues which constitute the chief excellency" of government were "industry, frugality, and economy." Richard Henry Lee described the virtuous as a "wise, attentive, sober, diligent & frugal" people who had established "the independence of America." A Virginian wondering whether America could sustain republican government asked, "Have we

[25] Adams to Caleb Davis, Apr. 3, 1781, in Cushing, ed., *Writings of Samuel Adams*, IV, 255, Adams to Scollay, Mar. 20, 1777, *ibid.*, III, 365; Rush quoted in Wood, *Creation of the American Republic*, 427, and Dagobert D. Runes, ed., *Selected Writings of Benjamin Rush* (New York, 1947), 31; J. Adams, in [Worthington Chauncey Ford, ed.], *Warren-Adams Letters* (Massachusetts Historical Society, *Collections*, LXXII-LXXIII [Boston, 1917-1925]), I, 201-202, 222.

[26] Theodore Sedgwick, *A Memoir of the Life of William Livingston* ... (New York, 1833), 403; Jay to Jefferson, Feb. 9, 1787, in Julian P. Boyd *et al.*, eds., *The Papers of Thomas Jefferson* (Princeton, N.J., 1950-), XI, 129; letters to Jefferson are quoted in Wood, *Creation of the American Republic*, 424; J. Adams, "Thoughts on Government," in Charles Francis Adams, *The Works of John Adams* ..., IV (Boston, 1851), 199.

that Industry, Frugality, Economy, that Virtue which is necessary to constitute it?"[27] The constitutions of Pennsylvania and Vermont actually enlisted the Machiavellian republican notion of the return to original principles for their noncivic definition of a virtuous people. They specified that "a frequent recurrence to fundamental principles, and a firm adherence to justice, moderation, temperance, industry, and frugality are absolutely necessary to preserve the blessings of liberty and keep a government free."[28]

The Antifederalists, ostensible communitarian and public-oriented foils to Madisonian interest-based liberalism, could also use this more personal idiomatic notion of virtue. The Articles were not at fault, according to John Williams of New York. The great problem was the decline of virtue in the middle 1780s, "banishing all that economy, frugality, and industry, which had been exhibited during the war." For the Antifederalist pamphleteer "Candidus," it was not a new constitution that America needed but a return to the virtues of "industry and frugality."[29]

The republican tradition had, to be sure, always privileged economy over luxury. From Aristotle and Cicero through Harrington and the eighteenth-century opposition to Walpole, republican rhetoric linked a virtuous republican order to the frugal abstention from extravagance and luxury. But there is more than the all-pervasive paradigm of republicanism at work here. The inclusion of industry in the litany of virtue directs us to another inheritance, to another language in which Americans in the late eighteenth century conceptualized their personal and political universe. Americans also spoke the language of work-ethic Protestantism derived from Richard Baxter, John Bunyan, and the literature of the calling and of "industry." In the later decades of the eighteenth century this was the discourse that monopolized the texts of the English Dissenters, James Burgh, Richard Price, and Joseph Priestley, whose writings were so influential in the founding generation.[30]

Central in work-ethic Protestantism was the vision of a cosmic struggle between the forces of industry and idleness. Its texts vibrated less with the dialectic of civic virtue and self-centered commerce than with the dialectic of productive hardworking energy, on the one hand, and idle unproductive sloth, on the other. Its idiom was more personal and individualistic

[27] Barlow quoted in Wood, *Creation of the American Republic*, 418; Lee to Arthur Lee, Feb. 11, 1779, in Ballagh, ed., *Letters of R. H. Lee*, II, 33; quotation for Virginian is in Wood, *Creation of the American Republic*, 95.

[28] Cited in O. G. Hatch, "Civic Virtue: Wellspring of Liberty," *National Forum*, LXIV (1984), 35.

[29] Elliot, ed., *Debates*, II, 240; "Essays by Candidus," in Storing, ed., *Complete Anti-Federalist*, IV, 129.

[30] See my "Republican Revisionism Revisited," *American Historical Review*, LXXXVII (1982), 629-654, and "Children's Literature and Bourgeois Ideology: Observations on Culture and Industrial Capitalism in the Later Eighteenth Century," in Harry C. Payne, ed., *Studies in Eighteenth-Century Culture*, XII (Madison, Wis., 1983), 11-44. Burgh is cited in *Federalist* No. 56.

than public and communal. Work was a test of self-sufficiency and self-reliance, a battleground for personal salvation. All men were "called" to serve God by busying themselves in useful productive work that served both society and the individual. Daily labor was sanctified and thus was both a specific obligation and a positive moral value. The doctrine of the calling gave each man a sense of his unique self; work appropriate to each individual was imposed by God. After being called to a particular occupation, it was a man's duty to labor diligently and to avoid idleness and sloth.

The fruits of his labor were justly man's. There was for Baxter an "honest increase and provision which is the end of our labour." It was, therefore, "no sin, but a duty to choose a gainful calling rather than another, that we may be able to do good." Not only was working hard and seeking to prosper the mark of a just and virtuous man and idleness a sign of spiritual corruption, but work was also the anodyne for physical corruption. Hard work disciplined the wayward and sinful impulses that lay like Satan's traces within all men. Baxter wrote that "for want of *bodily* labour a multitude of the idle Gentry, and rich people, and young people that are slothful, do heap up in the secret receptacles of the body a dunghill of unconcocted excrementitious filth . . . and dye by thousands of untimely deaths[.] . . . [I]t is their own doing, and by their sloth they kill themselves."[31]

The Protestant language of work and the calling is, of course, complementary to the liberal language of Locke with its similar voluntaristic and individualistic emphasis. Locke's *Second Treatise* and its chapter "Of Property," with its very Protestant God enjoining industrious man to subdue the earth through work and thus to realize himself, is, as Quentin Skinner insists, "the classical text of radical Calvinist politics."[32] The kinship of work-ethic Protestant discourse to Locke has less to do with the juristic discourse of rights than with the Protestant theme of work. In the Protestant vocabulary there is much mention of virtue and corruption, but these have primarily nonclassical referents. Virtuous man is solitary and private man on his own, realizing himself and his talents through labor and achievement; corrupt man is unproductive, indolent, and in the devil's camp. He fails the test of individual responsibility. Few have captured the compatibility of the liberal and work-ethic Protestant paradigms as well as Tocqueville, albeit unintentionally. In *Democracy in America* he wrote of the American character in noncivic, individualistic terms that are at bottom central to both liberal and Protestant discourse. Americans, Tocqueville wrote, "owe nothing to any man, they expect nothing from any man; they acquire the habit of always considering themselves as

[31] Baxter quoted in J. E. Crowley, *This Sheba, Self: The Conceptualization of Economic Life in Eighteenth-Century America* (Baltimore, 1974), 51, 17-18.

[32] Skinner, *The Foundations of Modern Political Thought* (Cambridge, 1978), II, 239.

standing alone, and they are apt to imagine that their whole destiny is in their own hands."[33]

Contemporary scholars such as Edmund S. Morgan, J. E. Crowley, Joyce Appleby, and John Patrick Diggins have described this alternative paradigm of Protestantism and the Protestant ethic in eighteenth-century America and with it a language quite congenial to individualistic liberalism and the capitalist spirit.[34] Next to the Bible, the texts of Protestant moralists like Baxter were the most likely to be found in the libraries of eighteenth-century Americans.[35] From them Americans came to know the virtuous man as productive, thrifty, and diligent. Morgan and Crowley, especially, have documented how the American response to English taxation centered on a dual policy of self-denial and commitment to industry. Richard Henry Lee, as early as 1764, when hearing of the Sugar Act, assumed it would "introduce a virtuous industry." The subsequent nonconsumption and nonimportation policy of colonial protestors led many a moralist, in fact, to applaud parliamentary taxation as a blessing in disguise, recalling America to simplicity and frugality. As Morgan notes, the boycott movements were seen by many as not simply negative and reactive. "They were also a positive end in themselves, a way of reaffirming and rehabilitating the virtues of the Puritan Ethic."[36]

In this vocabulary, industry, simplicity, and frugality were the signs not only of a virtuous people but also of a free people. As one Rhode Island writer put it, "the industrious and the frugal only will be free."[37] The Boston *Evening-Post* of November 16, 1767, noted that "by consuming *less* of what we are not really in want of, and by industriously cultivating and improving the natural advantages of our own country, we might save our *substance, even our lands*, from becoming the property of others, and we might effectually preserve our *virtue* and our *liberty*, to the latest posterity." Three weeks later the *Pennsylvania Journal* proclaimed: "SAVE YOUR MONEY AND YOU WILL SAVE YOUR COUNTRY." In one of her famous letters to her husband, John, away at the Continental Congress, Abigail Adams revealed how salient the Protestant virtues were in the political context of her day. Would, she wrote, that Americans "return a little more to their primitive Simplicity of Manners, and not sink into inglorious

[33] Alexis de Tocqueville, *Democracy in America* (1835), ed. Richard D. Heffner (New York, 1956), 194.

[34] Morgan, "The Puritan Ethic and the American Revolution," *William and Mary Quarterly*, 3d Ser., XXIV (1967), 3-43; Crowley, *This Sheba, Self;* Appleby, "Liberalism and the American Revolution," *New England Quarterly*, XLIX (1976), 3-26, and *Capitalism and a New Social Order: The Republican Vision of the 1790s* (New York, 1984); Diggins, *The Lost Soul of American Politics: Virtue, Self-Interest, and the Foundations of Liberalism* (New York, 1984).

[35] Crowley, *This Sheba, Self*, 50.

[36] Lee to ———, May 31, 1764, in Ballagh, ed., *Letters of R. H. Lee*, I, 7; Morgan, "Puritan Ethic," *WMQ*, 3d Ser., XXIV (1967), 8.

[37] *Newport Mercury*, Feb. 28, 1774.

ease." They must "retrench their expenses. . . . Indeed their [*sic*] is occasion for all our industry and economy."[38]

From pulpit and pamphlet Americans had long heard praises of industry and denunciations of idleness. For Benjamin Colman, minister of Boston's Brattle Street Church, "*all Nature is Industrious and every Creature about us diligent in their proper Work.*" Constant activity was the human telos for Ebenezer Pemberton, an end even after death. He complained of those who thought that "the happiness of Heaven consisted only in Enjoyment, and a stupid Indolence." This Protestant paradigm of restless and disciplined human activity also spoke in the idiomatic terms of life as a race. The life of the virtuous Christian was "compared to a *Race*, a *Warfare*; *Watching*, *Running*, *Fighting*; all which imply Activity, Earnestness, Speed, etc." The race, according to Nathaniel Henchman, called "for the utmost striving of the whole Man, unfainting Resolute perseverance."[39]

Idleness, on the other hand, was a denial of the human essence. To be idle was to neglect "Duty and lawful Employment . . . for Man is by Nature such an active Creature, that he cannot be wholly Idle." Idleness for Americans had specific class referents. It was the sinful mark of the poor or the great, those below and those above the virtuous man of the middle. Cotton Mather made it clear that the idle poor had no claims on society. "*We should let them Starve.*" he wrote. As for the idle rich, Nathaniel Clap expelled them from the very fold of Christendom. "If Persons Live upon the Labours of others," he wrote, "and spend their Time in Idleness, without any Imployment, for the Benefit of others, they cannot be numb[e]red among Christians. YEA, If Persons Labour, to get great Estates, with this design, chiefly, that they and theirs may live in Idleness, They cannot be Acknowledged for Christians."[40]

America in the 1780s, Drew R. McCoy tells us, may well have had one of the highest rates of population growth in her history. For many, this conjured up fears of vast increases in the numbers of the poor and idle. Only a cultivation of domestic manufacturers would keep these idle hordes from the devil's hands. Once again the marriage of necessity and virtue led Americans to turn from foreign imports to local manufacture and domestic hard work. As Morgan noted of the pre-war boycott of the British, so McCoy characterizes similar promotion of native production in the 1780s "as the necessary means of making Americans into an active, industrious, republican people."[41] Indeed, in February 1787 one observer noted how absurd it was for Americans to support manufactures "at

[38] *Pennsylvania Journal* (Philadelphia), Dec. 10, 1767; Abigail Adams to John Adams, Oct. 16, 1774, in L. H. Butterfield *et al.*, eds., *Adams Family Correspondence* (Cambridge, Mass., 1963), I, 175.

[39] Colman, Pemberton, and Henchman quoted in Crowley, *This Sheba, Self*, 56, 57.

[40] Mather quoted *ibid.*, 59; Clap, *The Duty of All Christians . . .* (New London, Conn., 1720), 8.

[41] McCoy, *The Elusive Republic: Political Economy in Jeffersonian America* (Chapel Hill, N.C., 1980), 116.

several thousand miles distance, while a great part of our own people are idle." American manufactures would "deliver them from the curse of idleness. We shall hold out . . . a new stimulus and encouragement to industry and every useful art."[42]

Communitarian critics of an individualistic interest-based politics could also speak the Protestant language of sobriety, frugality, and industry and also locate these virtues in the particularly virtuous middle ranks of life. The Antifederalists were in good company, then, when they enlisted that language to condemn what they saw as the aristocratic character of the new constitutional order. The Federal Farmer saw the new Constitution resulting from the conflict between leveling debtors "who want a share of the property of others" and men "called aristocrats" who "grasp at all power and property." Uninvolved and victimized were the larger number of "men of middling property" who worked hard and made up the "solid, free, and independent part of the community." It was Melancton Smith, the bearer of a proud Protestant name, who best made the Protestant case for the virtuous middle against Hamilton's aristocratic Constitution at the New York ratifying convention. It was an evil Constitution, Smith claimed, because it restricted representation to the idle few, excluding those who were morally superior. What is crucial to note is that virtue here is apolitical and noncivic:

> Those in middling circumstances, have less temptation—they are inclined by habit and the company with whom they associate, to set bounds to their passions and appetites—if this is not sufficient, the want of means to gratify them will be a restraint—they are obliged to employ their time in their respective callings—hence the substantial yeomanry of the country are more temperate, of better morals and less ambitious than the great.[43]

In his most recent collection of essays J.G.A. Pocock has suggested that in the eighteenth century "virtue was redefined," but he is wide of the mark in suggesting that "there are signs of an inclination to abandon the word" and in claiming that it was simply redefined "as the practice and refinement of manners." Virtue had for some time been part of the Protestant discourse with its nonrepublican image of virtuous man as productive, thrifty, and frugal. By the second half of the century this noncivic personal reading of virtue would be secularized, as in Adam Smith's negative assessment of the aristocrat who "shudders with horror at the thought of any situation which demands the continual and long exertion of patience, industry, fortitude, and application of thought. These

[42] *American Museum*, I (1787), 116, 119.

[43] *Letters from the Federal Farmer*, in Storing, ed., *Complete Anti-Federalist*, II, 253; Smith, *ibid.*, VI, 158.

virtues are hardly ever to be met with in men who are born to those high stations."[44]

Virtue was becoming privatized in the latter part of the eighteenth century. It was being moved from the realm of public activity to the sphere of personal character. The virtuous man partook less and less of that republican ideal that held sway from Aristotle to Harrington—the man whose landed property gave him the leisure necessary for civic commitment in the public arena, be its manifestations political or martial. Property was still important in the Protestant paradigm—not, however, as grantor of leisure but as the rightful fruit of industrious work.

Gordon Wood has noted that Carter Braxton more than any other in the founding generation of Americans sensed the tension between a republicanism based on public virtue—the "disinterested attachment to the public good, exclusive and independent of all private and selfish interest"—and an American polity where in reality most practiced a private virtue in which each man "acts for himself, and with a view of promoting his own particular welfare." Republican privileging of public over private had never been, according to Braxton, the politics of "the mass of the people in any state." In this observation lay Braxton's real insight. Republican virtue was historically the ideal of a circumscribed, privileged citizenry with an independent propertied base that provided the leisure and time for fulfillment in public life through the moral pursuit of public things, *res publica*. Americans, on the other hand, Braxton wrote, "who inhabit a country to which providence has been more bountiful," live lives of hard work and private virtue, and their industry, frugality, and economy produce the fruits of honest labor.[45] From our perspective, we can credit Braxton with perceiving the decline of republican hegemony in the face of the alternative worlds of Lockean liberalism and the Protestant ethic. What we now know is that one hears more and more in the course of the late eighteenth century a different language of virtue, one that rejects the assumptions of civic humanism. Citizenship and the public quest for the common good were for some replaced by economic productivity and industrious work as the criteria of virtue. It is a mistake, however, to see this simply as a withdrawal from public activity to a private, self-centered realm. The transformation also involved a changed emphasis on the nature of public behavior. The moral and virtuous man was no longer defined by his civic activity but by his economic activity. One's duty was still to contribute to the public good, but this was best done through economic activity, which actually aimed at private gain. Self-centered economic productivity, not public citizenship, would become a badge of the virtuous man. At the heart of this shift from republican to Protestant notions of

[44] Pocock, *Virtue, Commerce, and History*, 48, 50; Smith, *The Theory of Moral Sentiments* (1759), ed. D. D. Raphael and A. L. Macfie (Oxford, 1976), I, iii, 24.

[45] [Braxton], *An Address to the Convention of . . . Virginia, on the Subject of Government* . . . (Philadelphia, 1776), 15, 17. For Wood's discussion of this text see *Creation of the American Republic*, 96-97.

virtue was also a transvaluation of work and leisure. Many Americans in 1787 would have dissented vigorously from the centuries-old republican paradigm set forth in Aristotle's *Politics:* "In the state with the finest constitution, which possesses just men who are just absolutely and not relatively to the assumed situation, the citizens must not live a mechanical or commercial life. Such a life is not noble, and it militates against virtue. Nor must those who are to be citizens be agricultural workers, for they must have leisure to develop their virtue, and for the activities of a citizen."[46]

III: The Language of Power and the State

Lost today in the legitimate characterization of the Constitution as bent on setting limits to the power exercised by less than angelic men is the extent to which the Constitution is a grant of power to a centralized nation-state. This loss reflects a persistent privileging of Madison over Hamilton in reading the text. While posterity emphasizes the Constitution's complex web of checks and balances and the many institutionalized separations of powers, the participants in the "great national discussion," on whichever side they stood, agreed with Hamilton that the Constitution intended a victory for power, for the "principle of *strength* and *stability* in the organization of our government, and *vigor* in its operations."[47]

A pro-Constitution newspaper, the *Pennsylvania Packet,* declared in September 1787: "The year 1776 is celebrated . . . for a revolution in favor of liberty. The year 1787, it is expected, will be celebrated with equal joy, for a revolution in favor of Government." The theme was repeated by Benjamin Rush, also a defender of the Constitution. Rush wrote in June 1787 to his English friend Richard Price that "the same enthusiasm *now* pervades all classes in favor of *government* that actuated us in favor of *liberty* in the years 1774 and 1775."[48]

Critics of the Constitution saw the same forces at work. For Patrick Henry, "the tyranny of Philadelphia" was little different from "the tyranny of George III." An Antifederalist told the Virginia ratification convention that "had the Constitution been presented to our view ten years ago, . . . it would have been considered as containing principles incompatible with republican liberty, and, therefore, doomed to infamy." But the real foil to Hamilton, using the very same whig language, was Richard Henry Lee, who wrote in 1788: "It will be considered, I believe, as a most extraordinary epoch in the history of mankind, that in a few years there should be so essential a change in the minds of men. 'Tis really astonishing that the same people, who have just emerged from a long and cruel war in defense

[46] Aristotle, *The Politics,* bk. VII, chap. 9.

[47] Elliot, ed., *Debates,* II, 301.

[48] *Pennsylvania Packet, and Daily Advertiser* (Philadelphia), Sept. 6, 1787; Rush to Price, June 2, 1787, in L. H. Butterfield, ed., *Letters of Benjamin Rush* (Princeton, N.J., 1951), I, 418-419.

of liberty, should now agree to fix an elective despotism upon themselves and their posterity."[49]

But always there were other and louder voices using this same language in defense of the Constitution. Benjamin Franklin wrote that "we have been guarding against an evil that old States are most liable to, *excess of power* in the rulers; but our present danger seems to be *defect of obedience* in the subjects." For the *Connecticut Courant* it was all quite simple. The principles of 1776 had produced a glaring problem, "a want of energy in the administration of government."[50]

In the political discourse of 1787 there was thus a fourth paradigm at work, the state-centered language of power. It, too, reached back into the classical world, to the great lawgivers and founders Solon and Lycurgus, and to the imperial ideal of Alexander and Julius Caesar. Not republican city states but empire and, much later, the nation-state were its institutional units. Its doctrines and commitments were captured less by *zoon politicon, vivere civilere, res publica,* and *virtù* than by *imperium, potestas, gubernaculum,* prerogative, and sovereignty. Its prophets were Dante, Marsilio, Bodin, Richelieu, Hobbes, Machiavelli (of *The Prince,* not the *Discourses*), and James I. This language of politics was focused on the moral, heroic, and self-realizing dimensions of the exercise and use of power.

For Charles Howard McIlwain the recurring answer to this power-centered language of politics was the discourse of "jurisdictio"; for contemporary scholars it would be the law-centered paradigm or the language of jurisprudence and rights.[51] For our purposes, it is important to recognize how the discourse of power and sovereignty renders problematic the reading of the "great national discussion" as simply a dialogue between republicanism and liberalism. To be sure, as the language of Protestantism was complementary to and supportive of liberalism, so the state-centered language of power was closer to and more easily compatible with the discourse of republicanism. Hamilton was fascinated by the nation-state builders in early modern Europe, but his power-centered politics still touched base with much of the older republican ideal. It shared the reading of man as a political animal, as a community-building creature. It, too, privileged public life and public pursuits over a reading of politics that stressed the private context of self-regarding lives of individuals. It did not, however, share the participatory ideals of moral

[49] Elliot, ed., *Debates,* III, 436, 607; Lee to John Lamb, June 27, 1788, in Ballagh, ed., *Letters of R. H. Lee,* II, 475.

[50] Franklin to Charles Carroll, May 25, 1789, in Albert Henry Smyth, ed., *The Writings of Benjamin Franklin* (New York, 1907), X, 7; *Connecticut Courant,* quoted in Wood, *Creation of the American Republic,* 432.

[51] McIlwain, *Constitutionalism: Ancient and Modern* (Ithaca, N.Y., 1947). For a discussion of these other paradigms and languages see the essays in Istvan Hont and Michael Ignatieff, eds., *Wealth and Virtue: The Shaping of Political Economy in the Scottish Enlightenment* (Cambridge, 1983), and Pocock, *Virtue, Commerce, and History.*

citizenship, basic to much of the republican tradition, and this difference dramatically sets it off as a separate discourse.

In *Federalist* No. 1 Hamilton proclaimed his "enlightened zeal" for "the energy" and "vigor of government." His achievement, and that of the other young men at Philadelphia, was the creation of the American state. Some decades later, Hegel could find nothing in America that he recognized as the "state."[52] But that was in comparison with established European states, and in that sense he was quite right. What little there was of an American state, however, was crafted by Hamilton, Madison, and the framers of the Constitution, who began their work *de nouveau*, from nothing. There was no royal household whose offices would become state bureaus, no royal army from a feudal past to be transformed into an expression of the state's reality.

It was the experience of war that shaped the vision of America's state-builders. The war against Britain provided them with a continental and national experience that replaced the states-centered focus of the pre-1776 generation. A remarkable number of framers of the Constitution either served in the Continental army or were diplomats or administrative officials for the Confederation or members of the Continental Congress. Indeed, thirty-nine of the fifty-five delegates to the Constitutional Convention had sat in the Congress. This is where the generational issue, so brilliantly described by Stanley Elkins and Eric McKitrick, was so crucial.[53] Most of the principal Federalists had forged their identity in service to the war and the national cause and in dealing with the individual states' reluctance to assist that continental effort. Washington, Knox, and Hamilton were key figures in military affairs. Robert Morris was superintendent of finance, whose unhappy task it was to try to finance the war. John Jay had been president of the Confederation Congress for a short while and a central actor in trying to implement a common foreign policy for the thirteen states. While most of the Antifederalists were states-centered politicians whose heroics took place before 1776, most of the Federalists were shaped by the need to realize the national interest in an international war. Their common bond was an experience that transcended and dissolved state boundaries.

Madison and Hamilton had sat on the same committee of the Continental Congress in 1782-1783, working on the funding of the war and the maintenance of the French alliance. From experiences like this they and their state-building colleagues came to view the thirteen states collectively as a "country," a country among countries. If their country were going to live in a world of nation-states, it needed to become, like the others, a centralized nation-state with sovereign power to tax, regulate trade, coin

[52] Georg Wilhelm Friedrich Hegel, *The Philosophy of History*, trans. J. Sibree (New York, 1956), 84-87.

[53] Elkins and McKitrick, "The Founding Fathers: Young Men of the Revolution," *Political Science Quarterly*, LXXVI (1961), 181-216.

money, fund a debt, conduct a foreign policy, and organize a standing army.

The lack of such an American state was profoundly dispiriting to Hamilton. In *Federalist* No. 85 he declared that "a nation without a national government is, in my view, a sad spectacle." In No. 15 he was even more distraught: "We have neither troops, nor treasury, nor government for the Union . . . our ambassadors abroad are the mere pageants of mimic sovereignty." One can, in fact, construct a theory of the origin and development of the state in *The Federalist*, all from Hamilton's contributions. The state is defined in No. 15 as a coercive agent having the power to make laws. To perform this function, a state requires a stable and predictable system of taxation (Nos. 30, 36) and agencies of force, that is, armies and police (Nos. 6, 34). Especially important for Hamilton's theory of state development are Nos. 16 and 17. In the former he insisted that "the majesty of the national authority" cannot work if impeded by intermediate bodies: "It must carry its agency to the persons of the citizens." Independent and sovereign nations do not govern or coerce states; they rule over individuals.

Hamilton's preoccupation with money and arms as essential for state-building, and his zeal to push aside any intermediate bodies between the state and individuals, while directly relevant for the case he was making on behalf of the Constitution, were also heavily influenced by his perceptive reading of the pattern of state-building in Europe. This is revealed in the all-important *Federalist* No. 17, where Hamilton compares America under the Articles of Confederation to the "feudal anarchy" of medieval Europe. Clearly, for Hamilton, the separate American states were intermediate "political bodies" like "principal vassals" and "feudal baronies," each "a kind of sovereign within . . . particular demesnes." Equally evident is his sense that the pattern of European development, with the triumph of coercive centralized nation-states, should be reproduced in America under the Constitution. On both sides of the Atlantic, then, the state will have "subdued" the "fierce and ungovernable spirit and reduced it within those rules of subordination" that characterize "a more rational and more energetic system of civil polity." Nor is this state-building scenario unrelated to liberal ideological concerns. Hamilton in *Federalist* No. 26 sounds very much like the liberal theorists of state, Hobbes and Locke, when he writes of the role that the "energy of government" plays in ensuring "the security of private rights." However, Hamilton was interested less in the limited liberal state than in the heroic state; heroic state-builders like him cannot fear power, for power is the essence of the state. That power is so often abused does not rule out its creative and useful role. This was the message of a Hamilton speech to the New York legislature in early 1787:

> We are told it is dangerous to trust power any where; that *power* is liable to *abuse* with a variety of trite maxims of the same kind. General propositions of this nature are easily framed, the truth of which

> cannot be denied, but they rarely convey any precise idea. To these we might oppose other propositions equally true and equally indefinite. It might be said that too little power is as dangerous as too much, that it leads to anarchy, and from anarchy to despotism. . . . Powers must be granted, or civil Society cannot exist; the possibility of abuse is no argument against the *thing*.[54]

All of the power-centered paradigm's euphemisms for power—"strength," "vigor," "energy"—come together in Hamilton's conception of the presidential office. The presidency was the heart of the new American state for Hamilton, just as the monarch or chief magistrate was for older European nation-states. In Hamilton's president could be heard the echoes of *potestas* and *gubernaculum*. Had he not argued at Philadelphia for a life term for presidents? Short of that, in *Federalist* No. 72 he supported the president's eligibility for indefinite reelection. How else, he asked, would a president be able to "plan and undertake extensive and arduous enterprises for the public benefit?" The president was the energetic builder of an energetic state. In *Federalist* No. 70 Hamilton argued: "Energy in the executive is a leading character in the definition of good government. . . . A feeble executive implies a feeble execution of the government. A feeble execution is but another phrase for a bad execution; and a government ill executed, whatever it may be in theory, must be in practice, a bad government."

Hamilton saw a close relationship between a state with energy and power at home and a powerful state in the world of states. At the Constitutional Convention he angrily replied to Charles Pinckney's suggestion that republican governments should be uninterested in being respected abroad and concerned only with achieving domestic happiness: "It had been said that respectability in the eyes of foreign Nations was not the object at which we aimed; that the proper object of republican government was domestic tranquillity & happiness. This was an ideal distinction. No governmt. could give us tranquillity & happiness at home, which did not possess sufficient stability and strength to make us respectable abroad."[55]

Hamilton was preoccupied with the interrelationship between commerce, state power, and international politics. A powerful state in his vision was a commercial state. In the competitive international system, nation-states sought to improve or protect their commercial strength, which led inevitably to wars. Powerful states therefore needed standing armies and strong navies. In *Federalist* No. 24 Hamilton insisted that "if we mean to be a commercial people, it must form a part of our policy, to be able to defend that commerce." In contrast to Paine and many isolationist Antifederalists, he rejected the notion that wars were fought only "by

[54] Harold C. Syrett *et al.*, eds., *The Papers of Alexander Hamilton* (New York, 1961-1979), IV, 11.

[55] Farrand, ed., *Records of the Federal Convention*, I, 466-467.

ambitious princes" or that republican government necessarily led to peace. Hamilton, the realist, ridiculed in *Federalist* No. 6 "visionary or designing men," who thought republics or trading nations immune from the natural conflicts of nation-states, who talked "of perpetual peace between the states," or who claimed that "the genius of republics is pacific."

> Have republics in practice been less addicted to war than monarchies? Are not the former administered by men as well as the latter? Are there not aversions, predilections, rivalships and desires of unjust acquisitions that affect nations as well as kings? Are not popular assemblies frequently subject to the impulses of rage, resentment, jealousy, avarice and of other irregular and violent propensities?

But Hamilton did not want to build an American state with all that statehood required—a financial and commercial infrastructure, energetic leadership, and powerful military forces—merely to allow America to hold its own in a world system characterized by conflict, competition, and clashing power. He had a grander vision for the American state, a call to greatness. In *Federalist* No. 11 Hamilton wrote of "what this country is capable of becoming," of a future glory for America of "a striking and animating kind." Under a properly "vigorous national government, the natural strength and resources of the country, directed to a common interest, would baffle all the combinations of European jealousy to restrain our growth." If Americans would only "concur in erecting one great American system," the American state would be "superior to the control of all transatlantic force or influence, and able to dictate the terms of the connection between the old and the new world." In the face of a vigorous American state Europe would cease to be "mistress of the world." America would become ascendant in the Western Hemisphere.

Hamilton's horizons were dazzling. His internationalism transcended the cosmopolitan vision of his fellow Federalists as it transcended the localism of the Antifederalists. The victory of the state center over the American periphery would in Hamilton's fertile imagination catapult America from the periphery of nations to the center of the world system.

It would be a heroic achievement for Hamilton and his colleagues in Philadelphia to create such a powerful American state. It would bring them everlasting fame, and, as Douglass Adair has told us, that may well have been the ultimate motive that prompted their state-building. In *Federalist* No. 72 Hamilton suggested that political leaders who undertake "extensive and arduous enterprises for the public benefit" are activated by "the love of fame, the ruling passion of the noblest minds." He was describing his ideal of an energetic president, the subject of the paper, and the heroic enterprise of constitutional state-building embarked on by him and his fellow Federalists. It would bring them the fame and immortality of a Lycurgus as described by Madison in *Federalist* No. 38. The classical and Renaissance discourse of power was replete with praise for creative wielders of *potestas*. Literate men in the eighteenth century, like Hamilton

and Madison, knew that Plutarch in his *Lives of the Noble Greeks and Romans* reserved the greatest historical glory for the "law giver" and the "founder of commonwealth." In a text equally well known in this period, Francis Bacon's *Essays*, the top of a fivefold scale of "fame and honour" was occupied by "Conditores Imperium, Founders of States and Commonwealths." David Hume, who was well read by both Hamilton and Madison, echoed this theme. He wrote that "of all men that distinguish themselves by memorable achievements, the first place of honour seems due to legislators and founders of states who transmit a system of laws and institutions to secure the peace, happiness and liberty of future generations." Hamilton must have seen himself and his fellow state-builders as achieving such everlasting fame. Ten years earlier, in a pamphlet attacking congressmen for not better realizing the potential of their position, he had written of true greatness and fame. He signed the pamphlet with the pseudonym "Publius," a fabled figure in Plutarch's *Lives* and the name later used by the authors of the *Federalist*. Hamilton's vision transcended the walls of Congress in the infant nation and spoke to the historic discourse of power.

> The station of a member of C——ss, is the most illustrious and important of any I am able to conceive. He is to be regarded not only as a legislator, but as the founder of an empire. A man of virtue and ability, dignified with so precious a trust, would rejoice that fortune had given him birth at a time, and placed him in circumstances so favourable for promoting human happiness. He would esteem it not more the duty, than the privilege and ornament of his office, to do good to mankind.[56]

We must not lose sight of the other side in the "great national discussion," however. Hamilton's discourse of power with its vision of an imperial American state attracted the fire of Antifederalists like one of Franklin's lightning rods. It was Patrick Henry who most angrily and most movingly repudiated the Federalist state. Henry's American spirit was Tom Paine's. With the Federalist state America would lose its innocence, and "splendid government" would become its badge, its dress. On the ruins of paradise would be built, if not the palaces of kings, then armies and navies and mighty empires. At the Virginia ratifying convention Henry evoked a different language of politics.

> The American spirit has fled from hence; it has gone to regions where it has never been expected; it has gone to the people of France, in search of a splendid government, a strong, energetic government.

[56] *Plutarch's Lives in Six Volumes* (London, 1758), I, 96; Bacon, "Of Honour and Reputation," in Richard Whatley, ed., *Bacon's Essays: With Annotations* (London, 1886); Hume, "Of Parties in General," in *The Philosophical Works of David Hume* (Edinburgh, 1826), III, 57; "Publius Letter, III," in Syrett *et al.*, eds., *Hamilton Papers*, I, 580-581.

> Shall we imitate the example of those nations who have gone from a simple to a splendid government? Are those nations more worthy of our imitation? What can make an adequate satisfaction to them for the loss they have suffered in attaining such a government, for the loss of their liberty? If we admit this consolidated government, it will be because we like a great, splendid one. Some way or other we must be a great and mighty empire; we must have an army, and a navy, and a number of things. When the American spirit was in its youth, the language of America was different; liberty, sir, was then the primary object.[57]

What was Madison's relationship to the discourse of power and the Hamiltonian state? Madison was a state-builder, too, but his state was quite different from Hamilton's, and upon these differences a good deal of American politics in the next two decades, as well as to this day, would turn. Madison and Hamilton were in agreement on many things. They agreed on the need to establish an effective unified national government. They agreed on the serious threats to personal property rights posed by the state legislatures and on the role that a central government would play in protecting these rights. They agreed on the need to have the central government run by worthy, enlightened, and deliberative men. They agreed on the Constitution as necessary to provide the essential framework for commercial development through the creation of a national market, public credit, uniform currency, and the protection of contract. To be sure, Madison's vision tilted toward agrarian capitalism and Hamilton's toward manufactures and commerce. Where they markedly disagreed, however, was in giving positive, assertive power, "energy," and "vigor" to the state.

Hamilton held the new American state valuable for its own sake as assertive power. He saw the nation-state with its historic and heroic goals, seeking power in a competitive international system of other power-hungry states. Madison saw the nation-state as necessary only to protect private rights and thus ensure justice. Like Locke he saw the need for a grant of power to the state, but a grant of limited power. Madison saw the central government providing an arena for competitive power, where the private bargaining of free men, groups, and interests would take place, and the state would define no goals of its own other than ensuring the framework for orderly economic life. All the state would do was regulate "the various and interfering interests" or, as Madison put it to Washington in straightforward Lockean terms, be an impartial umpire in disputes. Energy in politics for Madison would come from individuals and groups seeking their own immediate goals, not from an energetic state seeking its own heroic ends.

What about Madison's governing elite of "enlightened views and virtuous sentiments," "whose wisdom may best discern the true interest of

[57] Elliot, ed., *Debates*, III, 53.

their country," of which he wrote in *Federalist* No. 10? Madison's "true interest" was not the "national interest" of Hamilton's realism. Nor was it some ideal transcending purpose or goal to which wise leadership would lead the state and those still in the shadows. Madison's enlightened leaders would demonstrate their wisdom and virtue more by what they did not do than by what they did. Being men of cool and deliberate judgment, they would not pass unjust laws that interfered with private rights. They would respect liberty, justice, and property, and run a limited government that did little else than preside over and adjudicate conflicts in a basically self-regulating social order. Did not Madison criticize in *Federalist* No. 62 the "excess of law-making" and the voluminousness of laws as the twin "diseases to which our governments are most liable"?

If the state legislators of the Confederation period had acted with self-restraint, there would have been no need for the institutions of the central state, but among generally fallen men they were an even more inferior lot, fired by local prejudices and warm passions. Should the unexpected happen and cooler men of enlightened views seek to do too much, that is, undertake what is described in *Federalist* No. 10 as "improper or wicked projects," then Madison's new constitutional government would rapidly cut them down as its multiplicity of built-in checks and balances preserved the Lockean limited state.

Madison's limited Federalist state might well appear meek and tame set next to Hamilton's energetic and vigorous state, but it was a matter of perspective. To the Antifederalists, even Madison's state, limited as it was by checks and balances and its cool men resisting the temptations of lawmaking, seemed a monstrous betrayal of the Revolution and its spirit. The Constitution could be seen, then, as the last, albeit Thermidorean, act of the American Revolution. Like most revolutions, the American began as a repudiation of the state, of power, and of authority in the name of liberty. Like most revolutions, it ended with a stronger state, the revival of authority, and the taming of liberty's excesses.

The American state would never be quite as bad, however, as the Antifederalists' worst fears. They had assumed, for example, that "Congress will be vested with more extensive powers than ever Great Britain exercised over us." They worried that "after we have given them all our money, established them in a federal town, given them the power of coining money and raising a standing *army* . . . what resources have the people left?"[58] The reason the results would not be quite that bad is that the new American state created by that "triple headed monster" of a Constitution was much closer to Madison's state than to Hamilton's—at least, that is, for the rest of the eighteenth century and through most of the nineteenth. The twentieth century would be another matter and another story.

[58] *Ibid.*, II, 159, 62.

Conclusion

The Federalists triumphed in the "great national discussion" that was the debate over the ratification of the Constitution. But posterity has not remembered simply the victorious advocates of the Constitution in 1787 and 1788. The Antifederalists have lived on in the American imagination as well. Their worst fears were never realized, which proves the glaring exception in a comparison of the American Revolution with other revolutions. The Antifederalists, while losers in 1788, were neither liquidated nor forced to flee. Nor, more significantly, were their ideas extinguished. Their values lived on in America, as they themselves did, and have been absorbed into the larger pattern of American political culture. The states have endured as vital parts of the American political scene and in the unique configuration that is American federalism have retained tremendous power in numerous areas of public policy. In celebrating the bicentennial of its Constitution America celebrates both the Federalists and the Antifederalists, for the living American Constitution is by now a blend of the positions both sides took during the "great national discussion," however untidy that may seem to constitutional purists.

Just as there ultimately was no decisive victor in the political and pamphlet battle, so, too, there was none in the paradigm battle. No one paradigm cleared the field in 1788 and obtained exclusive dominance in the American political discourse. There was no watershed victory of liberalism over republicanism. These languages were heard on both sides during the "great national discussion." So, too, were the two other paradigms available to the framers' generation, the Protestant ethic and the ideals of sovereignty and power. So it has remained. American political discourse to this day tends to be articulated in one or another of these distinguishable idioms, however untidy that may seem to professors of history or political philosophy.

The generations of Americans who lived through the founding and the framing have left us proof positive of their paradigmatic pluralism. They imprinted on the landscape of their experience place names by which future generations would know them and their frames of reference. They took the physical world as their text and wrote on it with the conceptual structures of their political language. My corner of the American text, Upstate New York, was settled by Revolutionary War veterans in the last decades of the eighteenth century. When they named their parcels of American landscape, they knew in what tongues to speak.

There is a Rome, New York, and an Ithaca and a Syracuse. There is a Locke, New York, a mere ten miles from Ithaca. There is a Geneva, New York, at the top of Cayuga Lake. And for the state builders fascinated with founders of states, there is even a Romulus, New York. Such is the archaeology of paradigms far above Cayuga's waters.